

FORMS ARE GENERIC SUGGESTIONS. PARTIES AND THEIR ATTORNEYS SHOULD REVISE THEM TO ADDRESS THE UNIQUE CIRCUMSTANCES OF EACH CASE.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

DIVISION
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In re)	
)	
_____,)	Case No. ____-bk-____-
)	Chapter [11, 12, 13]
Debtor.*)	
_____)	

ORDER GRANTING DEBTOR’S MOTION TO DETERMINE SECURED STATUS OF CLAIM AND VOID JUNIOR LIEN HELD BY [JUNIOR LIENHOLDER]

THIS CASE came on for consideration without a hearing on Debtor’s Motion to Determine Secured Status of Claim and to Void Junior Lien held by [junior lienholder] (Doc. No. __) (the “Motion”). The Motion was served under the negative notice provisions of Local Rule 2002-4. No party filed a timely objection to the Motion. Accordingly, under 11 U.S.C. § 506(a), it is

* All references to “Debtor” include and refer to both debtors in a case filed jointly by two individuals.

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ORDERED:

1. The Motion to Determine Secured Status of Claim and Void Junior Mortgage Lien held by **[junior lienholder]** (“Creditor”) (Doc. No. ____) is GRANTED.

2. Creditor does not hold a secured claim.

3. If Creditor has filed a Proof of Claim, it shall be treated as an unsecured claim. If Creditor has not filed a Proof of Claim, Creditor may, as authorized by Federal Rule of Bankruptcy Procedure 3002(c)(3), file an unsecured claim within 30 days of the date of this Order. [OPTIONAL CHAPTER 20 LANGUAGE: Creditor has no unsecured claim due to Debtor’s prior Chapter 7 Discharge (Doc. No.____) filed in Case No. _____.]

4. Creditor’s **[lien or mortgage, including properly redacted loan number]**, described as **[insert address, legal description, and recording information for real property or the VIN and UCC-1 Financing Statement number for vehicles]**, shall be deemed void and extinguished automatically and without further order when the Chapter 13 Trustee’s Notice of Completed Payments under Chapter 13 Plan is filed in this case.

5. This Order is not recordable, effective, or enforceable until the Chapter 13 Trustee’s Office files a Notice of Completed Payments under Chapter 13 Plan with this Court.

6. The Court reserves jurisdiction to consider the avoidance of Creditor’s lien prior to Debtor’s successful completion of the Chapter 13 Plan.

[Moving counsel’s name] is directed to serve a copy of this order on interested parties who do not receive service by CM/ECF and file a proof of service within three days of entry of this order.